

Date: November 1, 2013

To: Board Members, Citizen Complaint Authority

From: Kenneth E. Glenn, Director

Subject: CCA Narrative Summaries – November 4, 2013 Board Meeting

1

Complaint #	12237
	Discharge of a Firearm
Involved Officer(s)	Matthew Latzy
CCA Investigator	Dena Brown
Director Recommendation	Discharge of a Firearm - Exonerated
Board Recommendation	Agree (6-0)
City Manager Finding	Agree

Narrative

On October 13, 2012, at approximately 1:45 p.m., CCA was notified by the Emergency Communication Center of a discharge of a firearm by Officer Matthew Latzy. Ms. Erica Collins B/F/26 was fatally wounded during the incident. The incident occurred in the parking lot directly in front of the apartment building located at 2948 Highforest Lane where Ms. Erica Collins resided.

Summary

On October 13, 2012, Officer Matthew Latzy was dispatched to 2948 Highforest Lane, on a call for service at the request of Ms. Erica Collins. Ms. Erica Collins reported to Emergency Communication Section that her sister Ms. Elisabeth Collins was attempting to break into her apartment. Earlier during the day, Ms. Erica Collins and her sister Ms. Elisabeth Collins had been involved in a verbal dispute that escalated to Ms. Erica Collins calling for the police to intervene.

When Officer Latzy arrived on scene, he observed Ms. Elisabeth Collins putting several small children and other items into her vehicle that was parked in a parking lot directly in front of 2948 Highforest Lane. At that time, Ms. Erica Collins was on her balcony overlooking the parking lot.

Officer Latzy exited his cruiser and stood between his front passenger door and the driver's side rear of Ms. Elisabeth Collins' vehicle. Officer Latzy engaged Ms. Elisabeth Collins in a conversation trying to find out what was occurring. As Ms. Elisabeth Collins continued loading her items, Ms. Erica Collins exited the apartment building carrying a large knife and ran between a group of people toward the front driver's side of Ms. Elisabeth Collins's vehicle.

When Officer Latzy observed Ms. Erica Collins with the knife in her hand, he removed his firearm and positioned it at the "low ready" position. Officer Latzy ordered Ms. Erica Collins several times to drop the knife. Ms. Erica Collins bent over and made a motion with the knife as if she was going to slash the tire of Ms. Elisabeth Collins vehicle. Officer Latzy ordered her again to drop the knife which she replied, "No." Ms. Erica Collins raised the knife and took several steps toward Officer

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Latzy. Fearing for his life and the lives of other people in close proximity, Officer Latzy discharged his firearm twice striking Ms. Erica Collins. Ms. Erica Collins fell against the vehicle then to the ground dropping the knife.

The Emergency Communication Center was notified and the Cincinnati Fire Department responded but was unable to revive Ms. Erica Collins.

There were a number of witnesses to the incident including Ms. Erica Collins' family members, residents of the apartment complex and others. The only consistency in the statements was Ms. Erica Collins was armed with a knife, was ordered several times by Officer Latzy to drop the knife and she said "No" to that command from the officer. There were statements from family and non-family witnesses who said Ms. Erica Collins took steps toward Officer Latzy with the knife raised in an attack mode. There are also statements from family and non-family witnesses who said Ms. Erica Collins had the knife but did not step toward Officer Latzy. Whether Ms. Erica Collins stepped toward Officer Latzy with the knife raised in a threatening manner, is the opinion and perception of each witness.

The aforementioned Cincinnati Police Department policy 12.550 as it relates to self-defense must be the guiding framework to determine the reasonableness of the action of Officer Latzy. Whether Officer Latzy exhausted all of his options is the perception of Officer Latzy. CPD policy further guides officers in making clear that in potential deadly force encounters, officers are not required to retreat in lieu of the use of lethal force.

Officer Latzy articulated a threat of serious bodily harm or death to himself, Ms. Elisabeth Collins and others if Ms. Erica Collins was not stopped. The investigation has concluded Officer Latzy was in compliance with CPD policy, procedure and training.

Findings

Officer Matthew Latzy – Discharge of a Firearm

A preponderance of the evidence shows the alleged conduct did occur, but did not violate CPD policies, procedures, or training. **EXONERATED** ■

2

Complaint #	13129
Complainant(s)	Sonya Snell
Involved Officer(s)	Nicholas Hageman and Mark Bode
CCA Investigator	Dena Brown
Director Recommendation	Hageman and Bode: Excessive Force (Taser) - Not Sustained Hageman: Discourtesy (Profanity) - Not Sustained
Board Recommendation	<i>Excessive Force (Taser) - Not Sustained - Agree (3-3)</i> <i>Discourtesy (Profanity) - Not Sustained - Agree (6-0)</i>
City Manager Finding	Agree

Narrative

On May 20, 2013, Mrs. Sonya Snell alleged Officers Nicholas Hageman and Mark Bode used excessive force when they tased her husband, Roy Snell, several times. Mrs. Snell filed a citizen complaint on behalf of Mr. Snell with the Cincinnati Police Department. The incident occurred at 1990 Westwood Northern Blvd # 207, at approximately 7:30 p.m. The case was referred to CCA on June 17, 2013.

Summary

Officers Hageman and Bode were working an off duty detail for Downtown Properties when they observed Mr. Snell sitting outside playing with his two young children. The officers ran a computer check of the license plate of a vehicle that was parked next to Mr. Snell and it had several warrants attached to the plate with Mr. Snell's name and picture. As Officers Hageman and Bode exited their cruiser and approached Mr. Snell to ascertain if he was in fact, Mr. Snell, he fled into the apartment and closed the door. According to the officers and Mr. Walker, when Mr. Snell fled inside he left the two small children outside, which Mr. Snell and Mrs. Snell denied.

Officer Bode knocked on the apartment door and Officer Hageman took custody of the two children. Mrs. Snell opened the door and they advised her that Mr. Snell had active warrants. Mr. Snell came to the door and as the kids began to enter the apartment, Mr. Snell attempted to close the door behind them. Officer Hageman advised Mr. Snell he was under arrest for obstructing official business and placed a foot in the door to prevent it from being closed.

Officer Hageman attempted to place Mr. Snell under arrest and a brief struggle ensued. Mr. Snell backed out the apartment and Officer Hageman pulled his taser and ordered him to submit to arrest, or be tased. According to Officer Hageman, Mr. Snell failed to comply and continued backing toward the door. Officer Hageman deployed his taser, with one taser barb striking Mr. Snell in the right chest area near his shoulder.

The taser deployment did not have the intended affect, and Mr. Snell fled out the door and was pursued by both officers. The officers caught Mr. Snell in the parking lot near the apartment's office and Officer Hageman stated Mr. Snell took an aggressive stance toward him. Officer Hageman tackled Mr. Snell and forced him to the ground where both Officer Hageman and Bode stated he resisted being handcuffed. As the officers struggled to handcuff Mr. Snell, both officers used their tasers and drive stunned him several times to gain compliance.

Mr. and Mrs. Snell alleged that Officers Hageman and Bode used excessive force when Mr. Snell was tased several times and physically taken to the ground. Additionally, Mr. and Mrs. Snell alleged that Officer Hageman used profanity and made racially disparaging statements when he called Mr. Snell a black "MF" and used the "N" word toward him.

The investigation has concluded that according to CPD policy, Mr. Snell "actively resisted arrest" when he fled into the apartment, exited the apartment and attempted to flee when confronted by Officers Hageman and Bode who were conducting an investigation. During the physical confrontation both in, and outside the apartment, force was used by the officers by tasing Mr. Snell and taking him to the ground. However, it is inconclusive whether the force was excessive as alleged by Mr. and Mrs. Snell.

Mr. and Mrs. Snell's alleged that Officer Hageman was discourteous when he made racially disparaging comments when they were struggling outside the apartment. Mr. Walker stated during the struggle outside the apartment, Officer Hageman made a comment regarding his shoulder being injured followed by comment that was not discernible. Officers Hageman and Bode denied the allegation. There are no other witnesses, DVR's or other evidence to confirm or refute the allegation of discourtesy.

Findings

Officers Nicholas Hageman and Mark Bode – Excessive Force (Taser)

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED**

Officer Nicholas Hageman – Discourtesy (Profanity)

3

Complaint #	13158
Complainant(s)	Neferetteria Dawson
Involved Officer(s)	Jerry Hodges
CCA Investigator	Pamela King
Director Recommendation	Use of Force (Physical) - Exonerated Discourtesy - Unfounded
Board Recommendation	Agree (6-0)
City Manager Finding	Agree

Narrative

On July 11, 2013, Ms. Neferetteria Dawson filed a complaint via email with the Citizen Complaint Authority. The incident occurred at 4400 Rapid Run Road at approximately 7:30 p.m. The case was opened by CCA on July 12, 2013.

Ms. Dawson alleged District 3 Police Specialist Jeffrey Bley, PS306 was discourteous to her when he refused to provide her with information about her 14 year old son, who was in police custody and used excessive force when he shoved her.

The investigation revealed that Specialist Bley was not working that day and the involved officer was Officer Jerry Hodges.

Summary

On July 9, 2013, Officers Hill, Hodges and Zucker responded to a communication dispatch of a robbery in Rapid Run Park. Upon arrival, Officer Hill talked with the victim of the robbery and put out a description of the wanted subjects. Officers Hodges and Zucker apprehended two of the subjects, one of which was LD, the juvenile son of Ms. Dawson. Officers Hodges and Zucker took LD back to the scene of the robbery to be identified by the victim.

Officers Zucker and Hodges were with the victim and the subjects when Officer Hill noticed Ms. Dawson approaching the scene of the robbery. Officer Hill walked to meet Ms. Dawson and asked if he could help her. Ms. Dawson walked past Officer Hill toward Officer Hodges. Officer Hodges tried to explain the situation to Ms. Dawson and asked her to give them a moment to sort out the situation.

Ms. Dawson attempted to talk to her son who was in the police cruiser and again Officer Hodges told her she needed to leave the immediate area. Ms. Dawson walked over to the victim and attempted to question him about what happened. Officer Hodges told her she could not talk to the victim and she was interfering with their investigation.

Ms. Dawson states she turned to walk away and Officer Hodges pushed her in her back area. Officer Hodges, Officer Hill and Mr. McGrath said Ms. Dawson ignored what was being said to her. At which point, Officer Hodges put his hand out to stop her from advancing any further toward the victim and told her she needed to wait in a different area. Ms. Dawson was persistent and Officer Hill placed her under arrest for obstructing their investigation.

Officer Hodges admitted he had physical contact with Ms. Dawson but he did not push or shove Ms. Dawson. Officer Hill states Officer Hodges never pushed or shoved Ms. Dawson. Mr. McGrath said Ms. Dawson was ignoring the officers and Officer Hodges put his arm out to keep Ms. Dawson from confronting the witness and was walking toward Officer Hodges when he slightly pushed her back and away from the victim.

The investigation has concluded the force Officer Hodges used was reasonable given the totality of the circumstances as Officer Hodges was attempting to not only protect the victim of the robbery, but to preserve the integrity of the investigation.

Additionally, the investigation has concluded Officer Hodges was not discourteous by not allowing Ms. Dawson to talk with her son who was under investigation or talk with the victim of the robbery. The officers were in the middle of conducting a criminal investigation and Ms. Dawson's interference lead to her being arrested and charged with obstructing official business.

Findings

Officer Jerry Hodges – Use of Force (Physical)

A preponderance of the evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures or training. **EXONERATED**

Officer Jerry Hodges – Discourtesy

The investigation determined no facts to support that the incident complained of actually occurred. **UNFOUNDED ■**

4

Complaint #	13167
Complainant(s)	Mark Mussman
Involved Officer(s)	Charles Knapp and Charles Kilgore
CCA Investigator	Pam King
Director Recommendation	Knapp and Kilgore: Pointing of a Firearm - Exonerated Detention - Exonerated
Board Recommendation	Agree (6-0)
City Manager Finding	Agree

Narrative

On March 14, 2013, on Liberty and Main Street at approximately 2:00 p.m., Mr. Mark Mussman alleged he was a passenger in a vehicle that several officers pulled over and improperly pointed their firearms at him and the other occupants. Mr. Mussman filed a complaint with the Cincinnati Police Department on July 15, 2013 and the case was referred to CCA on the same day.

Summary

On March 14, 2013, Officer Knapp was on patrol in Over the Rhine area and randomly conducting license plate checks. Officer Knapp ran a computer check of the license plate of a vehicle driven by Mr. Beck that was occupied by Mr. Mussman and a female. The check revealed there was a felony warrant attached to the license plate with a subject that was wanted on a parole violation stemming from a robbery conviction. Further information revealed the wanted subject to be involved in narcotics and could be presumed armed and dangerous. There was also an approach with caution warning attached to the information.

Officer Knapp notified Emergency Communication Section he was going to make a felony traffic stop and requested assistance. After Officer Kilgore arrived, Officer Knapp made the stop and was tactically positioned as the contact officer. Officer Knapp was positioned with his service revolver pointed at the vehicle.

As Officer Kilgore covered the vehicle with his shotgun pointed at the vehicle, Officer Knapp ordered the three occupants, one-by-one out of the vehicle and ordered them to walk backwards toward him where they were secured and placed in cruisers. After verifying Mr. Mussman, Mr. Beck and the female were not the wanted subject, the officers explained the reason for the tactical approach that was used and released them.

Because of the nature of the stop, and the "approach with caution warning" from the computer inquiry, Officer Kilgore made the tactical decision to cover Officer Knapp with his shotgun. Based upon the statements from the officers, Mr. Mussman, and the written statement from Mr. Beck, Officers Knapp and Kilgore followed training for a high risk traffic stop as defined in the Cincinnati Police Department Tactical Patrol Guide. The investigator has concluded that the incident occurred but did not violate CPD policies, procedures and training.

Findings

Officers Charles Knapp– Pointing of a Firearm

A preponderance of the evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures or training. **EXONERATED**

Officers Charles Knapp– Detention

A preponderance of the evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures or training. **EXONERATED**

Officer Charles Kilgore- Pointing of a Firearm

A preponderance of the evidence shows that the alleged conduct did occur but did not violate CPD, procedures or training. **EXONERATED**

Officer Charles Kilgore- Detention

A preponderance of the evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures or training. **EXONERATED ■**

5

Complaint #	13183
Complainant(s)	LR (Juvenile)
Involved Officer(s)	Steve Peponis and Donald Hamlet
CCA Investigator	Dena Brown
Director Recommendation	Peponis: Use of Force (Physical) – Exonerated Hamlet: Use of Force (Physical) - Exonerated
Board Recommendation	Agree (6-0)
City Manager Finding	Agree

Narrative

On August 9, 2013, at approximately 4:00 p.m., LR alleged Officers Steve Peponis and Donald Hamlet used excessive force when they threw him to the floor and choked him during his arrest at the Corryville Recreation Center. LR filed a citizen

complaint with the Cincinnati Police Department on the same day. The case was referred to CCA on August 12, 2013.

Summary

On the date of the incident, Officers Peponis, Hamlet and Olthaus were working a three officer unit in civilian clothes with their badges displayed over their vest with "police" stenciled on the front and rear. The officers received information from an investigator from the Personal Crimes Section that there was a warrant for obstructing official business for LR, and he was a suspect in a rape investigation and was at the Corryville Recreation Center.

The officers responded to the recreation center and dropped Officer Olthaus at the rear door in the event LR attempted to flee. Officer Peponis and Hamlet went into the recreation center and Mr. Thomas, a recreation center employee, escorted the officers to the gymnasium and pointed to LR who was playing basketball with several individuals.

As Officers Peponis and Hamlet began to approach the group, LR began to back away and placed something in his pocket. Officer Peponis approached LR and placed his hand on LR's left wrist and told him he was under arrest. LR pulled his hand away and Officer Hamlet grabbed him, and their momentum took them into a door and then to the floor where a struggle ensued. Both officers struggled on the floor with LR in an attempt to handcuff him.

During the struggle on the floor, at one point, LR was on top of Officer Peponis and as the officer attempted to hold onto LR, his arm went under LR's chin and he began yelling he had been choked. Mr. Thomas, Officers Peponis and Hamlet denied that Officer Peponis intentionally choked LR during the struggle. The investigation has concluded, according to CPD policy, LR actively resisted arrest, and the force used by Officers Peponis and Hamlet was reasonable and in compliance with CPD policies, procedures and training.

Findings

Officer Steve Peponis – Use of Force (Choking)

A preponderance of the evidence shows alleged conduct did occur, but did not violate CPD policies, procedures, or training. **EXONERATED**

Officer Donald Hamlet – Use of Force (Choking)

A preponderance of the evidence shows alleged conduct did occur, but did not violate CPD policies, procedures, or training. **EXONERATED ■**

6

Complaint #	13184
Complainant(s)	Edgar Chun
Involved Officer(s)	Specialist Christopher Perry
CCA Investigator	Dena Brown
Director Recommendation	Use of Force (Physical) - Exonerated
Board Recommendation	Agree (6-0)
City Manager Finding	Agree

Narrative

On August 11, 2013, Mr. Edgar Chun alleged Specialist Christopher Perry used excessive force during his arrest when he

twisted his left nipple. Mr. Chun filed a citizen complaint with the Cincinnati Police Department. The incident occurred at 600 West 3rd Street, at approximately 9:50 p.m. The case was referred to CCA on August 12, 2013.

Summary

On August 11, 2013, Mr. Chun was driving a vehicle with Marcus Martinez as a passenger and was involved in an accident in the 600 block of 3rd Street. Mr. Chun and Mr. Martinez fled the scene on foot and were located by Lieutenant York about a mile from the crash scene near the Clay Wade Bailey Bridge and taken into custody without incident. Specialist Perry responded to the scene and retained custody of Mr. Chun from Lieutenant York. Mr. Chun was intoxicated, was perspiring and indicated he had consumed a twelve pack of beer within a two hour time frame.

Specialist Perry walked Mr. Chun to his cruiser and as they got to the cruiser, Mr. Chun refused to get in, became belligerent, used profanity and turned to face Specialist Perry several times asking him questions. Specialist Perry was behind Mr. Chun and in an attempt to gain control of Mr. Chun grabbed his arm, but could not hold on to it because he was perspiring. Specialist Perry stated he reached around the front of Mr. Chun, grabbed his shirt and some skin and was able to maneuver him into the cruiser. Specialist Perry denies he intentionally twisted Mr. Chun's nipple or used profanity as Mr. Chun alleged.

The investigation has concluded that Mr. Chun resisted complying with Specialist Perry's attempt to place him in the cruiser and whether Specialist Perry grabbed skin or twisted Mr. Chun's nipple is inconsequential. Specialist Perry complied with the aforementioned CPD use of force policy as it relates to the use of hard hands. The investigation has concluded, the force used by Specialist Perry to place a resistant Mr. Chun in cruiser, was reasonable and complied with CPD policy.

Findings

Specialist Christopher Perry – Use of Force (Physical)

A preponderance of the evidence shows the alleged conduct did occur but did not violate CPD policies, procedures and training. **EXONERATED** ■

7

Complaint #	13192
Complainant(s)	John Mosley
Involved Officer(s)	Jennifer Myers and Diane Lauer
CCA Investigator	Pam King
Director Recommendation	Myers: Excessive Force (Physical) - Unfounded Lauer: Excessive Force (Physical) - Unfounded
Board Recommendation	Agree (5-1)
City Manager Finding	Agree

Narrative

On August 20, 2013, at 3570 McHenry Avenue, at approximately 1:00 a.m., Mr. John Mosley was arrested by Officers Jennifer Myers and Diane Lauer. Mr. Mosley alleged one of the officers (wasn't sure which one) used excessive force when he was slammed into a wall and Officer Meyers closed the cruiser door on his hand causing a fracture. CCA received the complaint on August 20, 2013

Summary

On August 20, 2013, Officers Myers and Lauer responded to the Mosley home on a domestic violence run after Mrs. Mosley called Emergency Communication Center to report her husband, Mr. Mosley, had assaulted her. When the officers arrived and prior to interacting with the Mosleys, Officer Meyers activated the audio on her DVR and captured the entire incident on audio. After talking with Mrs. Mosley, Officer Meyers handcuffed and arrested Mr. Mosley for domestic violence without incident.

Mr. Mosley alleged after he was handcuffed and during the escort to the police cruiser, the officers used excessive force when one of the officers (didn't know which one) slammed him into a wall twice as they were exiting the apartment building. Mr. Mosley further alleged once at the cruiser, Officer Meyers shut the cruiser door on his hand causing a fracture.

The Investigator listened to the audio as Officers Meyers and Lauer escorted Mr. Mosley out of the apartment building and to the police cruiser. Mr. Mosley is heard talking and there are no sounds of a scuffle or complaints from Mr. Mosley that would indicate he was being slammed into the wall. On the audio, Officer Meyers can be heard telling Mr. Mosley to watch his step to avoid a hole and then the cruiser door can be heard as it is closed. The audio is still on and Mr. Mosley did not yell or shout with pain. Once Mr. Mosley was placed in the cruiser, Officer Myers turns the camera toward Mr. Mosley and during the course of her interview she asked him if he had any injuries. Mr. Mosley refused to answer Officer Meyers question and told her he had the right to remain silent and began cursing, threatening her and asking numerous times for his wallet that was left in the apartment.

The DVR shows the transport from the Mosley's residence to the Hamilton County Justice Center and from the Hamilton County Justice Center to University Hospital. During the transport, Mr. Mosley never complained of or alleged his injury was a result of any action by Officers Meyers or Lauer.

Although Mr. Mosley's hand was broken, the University Hospital doctor stated his injury was consistent with a boxer's fracture or a punching injury. Mr. Mosley denies punching anything and alleged his hand was broken when the officers slammed the door on his hand.

After review of the audio from Officer Meyer's DVR from the time the officers arrived at the Mosley residence and until he was conveyed to University Hospital, the Investigator has concluded there are no facts to support the incident occurred as Mr. Mosley alleged.

Findings

Officer Jennifer Myers – Excessive Force - Physical

The investigation determined no facts to support that the incident complained of actually occurred. **UNFOUNDED**

Officer Diane Lauer – Excessive Force - Physical

The investigation determined no facts to support that the incident complained of actually occurred. **UNFOUNDED ■**

Complaint #	13194
Complainant(s)	Lamont Mason
Involved Officer(s)	John Heine and Charles Knapp
CCA Investigator	Pam King
Director Recommendation	Heine: Improper Procedure (Frisk) - Sustained Discrimination - Not Sustained Knapp: Discrimination - Not Sustained
Board Recommendation	Heine: Improper Procedure (Frisk) - Sustained - Agree (6-0) Discrimination - Not Sustained - Agree (4-2) Knapp: Discrimination - Not Sustained - Agree (4-2)
City Manager Finding	Agree

Narrative

On August 10, 2013 at approximately 2:00 p.m., at Green Street and Findlay Market, Mr. Lamont Mason was walking when he was stopped by Officers John Heine and Charles Knapp. Mr. Mason alleged both officers discriminated against him because of his race and the frisk by Officer Heine was improper. Mr. Mason filed the complaint with CCA on August 23, 2013.

Summary

On August 10, 2013 at approximately 2:00 p.m. at Green Street and Findlay Market, Officers John Heine and Charles Knapp were on routine bicycle patrol when they observed Mr. Mason standing in front of a building that was known for illegal activities. When Mr. Mason saw the officers, according to the officers, he "bladed" his body or turned his body away from the officers and it appeared as though he was stuffing something in the waistband of his pants. This movement aroused the officer's suspicions.

Officer Heine gave a verbal command for Mr. Mason to stop, and Mr. Mason immediately complied by lifting his arms to his side. Officer Heine began questioning Mr. Mason and asking him if he was in possession of marijuana. Mr. Mason replied he did not know what Officer Heine was talking about. Officer Heine frisked Mr. Mason and Officer Knapp conducted an identification inquiry. Mr. Mason voiced his objection to the stop throughout the encounter and felt the officers targeted him because of his race.

Officers Heine and Knapp stated there had been a robbery in the area the day before and with the complaints from vendors, residents and the fact the area is a known trouble spot, the officers made the decision to confront and frisk Mr. Mason because they suspected he may have concealed a weapon when they saw him reach into the area of his waistband. However, the frisk of Mr. Mason did not reveal any contraband or weapons. Officers Heine and Knapp both stated the reason they stopped Mr. Mason was because of where he was standing and the suspicious movement he made when he observed them, not because of his race.

Although the officers indicated they observed Mr. Mason place something in his waistband, neither officer saw a bulge anywhere on the person of Mr. Mason that would indicate he was potentially armed with a weapon, nor did the officers articulate a reasonable suspicion to believe Mr. Mason had committed a crime or was about to commit a crime. Throughout the encounter, Mr. Mason was cooperative, though verbally objecting to the stop and subsequent frisk.

The investigation has concluded the stop and subsequent frisk of Mr. Mason did not comply with CPD policy and procedures. There are no facts to support or refute Mr. Mason's allegation that he was stopped because of his race.

Findings

Officer John Heine- Improper Procedure (Frisk)

The allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper. **SUSTAINED**

Officer John Heine – Discrimination

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED**

Officer Charles Knapp – Discrimination

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED ■**
